



# Town of Carlisle

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**PLANNING BOARD**

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**MINUTES OF JULY 11, 1994  
MEETING  
AND  
PUBLIC HEARING: AMENDMENT BOITEAU  
SPECIAL PERMIT FOR CONSERVATION CLUSTER  
AT ICE POND**

Chair Colman opened the meeting at 8:09. Present were board members Yanofsky, Chaput, Hengeveld, and *Mosquito* reporter Luchs. The minutes of June 27, 1994 were unanimously accepted as amended on a motion by Hengeveld, seconded by Chaput. Bills were approved as presented, with the exception of the 1994-95 MAPC dues. On a motion by Yanofsky, seconded by Chaput, the board unanimously authorized payment of \$1000 of the \$1303 bill, that being the amount budgeted.

**Evans subdivision informal discussion** Ken Evans of 493 Baldwin Rd. presented a possible subdivision layout for his 53 acres at the end of Baldwin, which is a dead end road. Mr. Evans stated that the road currently extends 808 feet beyond the intersection with Woodridge, allowing, he believes, a 192 foot extension of Baldwin. This 1000 feet, combined with the 160 foot diameter turnaround required in the subdivision rules and regs, would limit the number of lots to eight, using 250 foot frontage lots interspersed with 40 foot frontage lots. The existing Evans farmstead is included on one of those lots. The plan shows a common driveway to be used by lots 1-6, with lots 7 and 8 using private driveways. Of the seven unbuilt lots, five have passed deep hole tests, while two have not yet been tested. Evans explained he'd like to extend the turnaround which already exists to a better location. Because there is much wetland on the parcel, the board warned Evans that lots approvable under the subdivision rules and regs might not be usable under ConsCom's wetland regulations. Members mentioned that the common driveway would require a special permit under the zoning bylaw. They also noted that they would need to consider whether either intersection with Woodridge, which is a loop road, would be considered the beginning of the 1000 foot length, or whether the 1000 feet would need to be measured from the intersection with Stearns, north of Woodridge. Chaput suggested that Evans meet informally with ConsCom before he spends the substantial amount of

money on the engineering work needed for an official subdivision submittal. She noted that it is easier to change thinking regarding the layout, if that is necessary, when consultation occurs early in the process. The board asked Evans for a copy of his draft layout, which he agreed to provide. Board member LaLiberte arrived at 8:40.

**Boiteau special permit amendment hearing, continued** Colman reopened the hearing at 8:45. Mr. Boiteau, and daughter Sabine Boiteau, were the only parties in interest present. Board member Evans arrived at 8:50 for this portion of the meeting. LaLiberte stated that he must recuse himself. Colman read a copy of the corrected notice as it had appeared in the *Mosquito* on June 24 and July 1, 1994, and at Town Hall, and as it was mailed to parties in interest as defined in Mass. General Law Chapter 40-A. He explained that at the initial session of the hearing on June 13, 1994, the board discovered that the notice was defective, and therefore continued the hearing without taking testimony. For clarity, he recapped the history of the conservation cluster special permit amendments relating to this development. He then asked Boiteau to make his presentation. Boiteau explained that he had applied to amend the lot line between his lot, 3-A, and Brian Hebb's lot, 4-A, last fall, and had been granted a special permit amendment on Jan. 10, 1994. Since that time, two events had occurred: the special permit had lapsed because it had not been recorded, and he had purchased the 266 square feet in question from Hebb. The 266 square foot area was needed in order for the septic system leaching bed for lot 3-A to be increased from 5 to 8 bedrooms. He stated that other than the change in ownership of the area in question, the conditions relating to the application have not changed. The board agreed that the original findings still apply. On a motion from Evans, seconded by Yanofsky, the board voted to reapprove the amendment to the special permit for conservation cluster at Ice Pond, as shown on: Plan of Land in Carlisle, Mass. prepared for Charles Boiteau, drawn by David Ross Associates and identified as plan # L2313, dated 11/30/93, and revised 1/3/94. Voting in favor were Yanofsky, Chaput, Colman, Hengeveld and Evans; LaLiberte abstained. Board members then asked Boiteau to help the board determine whether the trail easement which overlaps the common driveway easement in fact also overlaps the paved way, now called Aberdeen Drive. Colman pointed out that survey data commissioned by Hebb may settle the disagreement as to that possible overlap, and that it would be to the advantage of the common drive homeowners as well as of the town to have the answer. The board asked Boiteau if, as the original subdivider, he had designed the trail easement he granted to be usable. He replied that he expected it to be built according to the approved section, which shows no overlap between the trail and the paved way. He stated he expected it to be a rough trail. The board stated it expected the trail to be usable by the public, as required in the conditions of the original special permit. Boiteau reminded the board that he is now just one homeowner on a common drive which will eventually have several other owners. The public hearing was closed at 9:22.

**SROSC and special permit, subdivision rules and regs subcommittee** will meet this week to finish their work.

**M.P. subcommittee** has categorized all available information into the groupings devised by combining Hughes' Community Planning Day chart with the state requirements as summarized by Yanofsky and Duscha last winter. Evans distributed an outline he had created using the groupings, and the subcommittee asked for the board's reaction. One important feature of the outline is an appendix which will cite or include the data from which the board drew its recommendations to the town, with the hope that readers will understand and accept the board's conclusions. Yanofsky volunteered to help fill the information gaps using MAPC as a resource. Chaput will let Yanofsky know where the holes are. Yanofsky recommended the board discuss sections on a regular basis. Chaput asked the board to allow the P.A. to help the subcommittee in research. Colman and Yanofsky asked Chaput to develop a budget showing how the subcommittee would use the P.A.'s time. As treasurer and former treasurer, and cognizant of the fact that the fiscal year is just beginning, they wanted to be sure that the board can keep the P.A.'s hours to the number budgeted.

**TOLS discussion** Evans took no part in the following discussion. Chaput, Colman and Hengeveld reported on the meeting of the TOLS committee at which Colman and Chaput had presented the board's concerns regarding the project. They had asked that the committee, if the time comes they need to re-negotiate the deal, reconsider Conant land as a site for town hall rather than allow themselves to get psychologically locked into the present proposal. In addition, they emphasized that the board wants to stay involved in the process regardless of the proposal.


Colman reported the Citizens for Carlisle's Future are trying to broaden their base of support.

Yanofsky reported that the marketing subcommittee had agreed that the planning board's participation is needed, although one member took a rather narrow view of the planning board's role, feeling it should be limited to land use issues. She will circulate the latest numbers for the TOLS proposal, which she obtained from Ballantine.

The board then discussed Yanofsky's draft statement regarding the planning board's concerns. She mentioned that she had deliberately not included Conant related issues, but had concentrated on the board's concerns regarding Malcolm and the Congregational Church. Hengeveld suggested that a broad introductory statement should indicate that the board supports the town's efforts to take action, and that the board concurs with the perception that a town hall is needed. She suggested this statement be followed by the list of issues which the board feels need clarification. Yanofsky suggested the board generate a separate list of issues around use of the Conant land. Yanofsky will redraft the position paper and bring it to the TOLS meeting on July 21, explaining that it is a working document.

**Release of money held in 53-G accounts** The board agreed that the P.A. should copy the board treasurer when she sends a release letter to the town treasurer.

The meeting was adjourned at 10:35.

  
Sandy Bayne, P.A.